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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/500,639
Filing Date: February 09, 2000
Appellant(s): LU ET AL.

Network Solutions, Inc.
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 21 November 2005 appealing from the Office action mailed 19 April 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is incorrect. A correct statement of the status of the claims is as follows:

This appeal involves claims 1, 4-12, and 15-24.

Claim 25 has previously been canceled, and is not part of the subject of this appeal.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the appellant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the appellant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 9-10, 12, 20-21 and 23 remain rejected under 35 U.S.C. 102(e) as being anticipated by Kirsch (USPN 5,751,956 – filing date 2/21/1996).

Regarding independent claim 1, Kirsch discloses: “a basic server based system of URL redirection for servers and clients” (col. 4, lines 11-12). This is equivalent to “forwarding a web address to another web address in a network”, comprising the steps of:

- a. Receiving a request destined to a first web address including a domain name and a uniform resource identifier (URI) (Kirsch on col. 4, lines 10-20: specifies receiving a redirect directive, which would inherently be directed toward a certain web address);

- b. Determining a forwarding uniform resource location (URL) that corresponds to the domain name (Kirsch on col. 4, lines 15-20: the user's input determines a new URL via the redirect command), the uniform resource identifier not being used in determining the forwarding uniform resource locator (in figure 4, the redirect URL is extracted independently and hence the URI is not used)
- c. Combining the forwarding uniform resource locator (URL and the uniform resource identifier (URI) to form a second web address without changing the uniform resource identifier (Kirsch on col. 4, lines 15-25: the suffix of the address is maintained while the URL prefix is replaced) and
- d. Redirecting the request to the second web address (Kirsch on col. 4, lines 20-30: the new address is used as the basis of a request)

Regarding dependent claim 9, Kirsch discloses the method of claim 1. In col. 10, lines 30-35, Kirsch teach how a URL is "issued back to the client system", in order to issue a redirection request. It would have been obvious to one of ordinary skill in the art at the time of the invention to send the user a string that includes the forwarding URL. This constitutes sending the user a string that includes the forwarding URL using a hypertext transfer protocol location command.

Regarding dependent claim 10, Kirsch discloses the method of claim 1. In col. 10, lines 30-35, Kirsch teach how a URL is "issued back to the client system", which is done by http in the context of the invention, in order to issue a redirection request. This

constitutes sending the user a string that includes the forwarding URL using a hypertext transfer protocol location command.

Regarding independent claim 12, a computer-readable medium having computer-executable instructions for performing the steps recited in claim 1, and is rejected under the same rationale.

Regarding dependent claim 20, it is a computer-readable medium having computer-executable instructions for performing the steps recited in claim 4, and is rejected under the same rationale.

Regarding dependent claim 21, it is a computer-readable medium having computer-executable instructions for performing the steps recited in claim 10, and is rejected under the same rationale.

Regarding independent claim 23, an apparatus with a memory and a processor for performing the steps recited in claim 1, and is rejected under the same rationale.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 15 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kirsch as applied to claim 1 above, and further in view of Horstmann et al (USPN 5,995,099 – filing date 6/10/1996).

Regarding dependent claim 4, Kirsch discloses the method of claim 1. However, Kirsch does not explicitly disclose the details of the determining step, wherein the determining step comprises determining whether a search for forwarding information can be completed, and indicating that there has been a system error based on the determination that the search cannot be completed. However, in Figure 5, Steps 52 and 53, Horstmann et al. (Horstmann) teaches that one should attempt to see if pages exist in order to establish if links "correspond with valid page addresses" (col. 5, lines 9-10). Subsequently, an error message is generated if there is a problem (col. 5, lines 10-11). It would have been obvious to one of ordinary skill in the art at the time of the invention to add an error check and message feature onto Kirsch's invention to determine if a search for forwarding information could be completed and to indicate that there has been a system error based on the determination that the search cannot be completed.

Regarding dependent claim 15, it is a computer-readable medium having computer-executable instructions for performing the steps recited in claim 4, and is rejected under the same rationale.

5. Claims 5 and 16 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kirsch as applied to claim 1 above, and further in view of Horstmann et al (USPN 5,995,099 – filing date 6/10/1996) as applied to claims 4 and 15 above, and further in view of Ogle et al. (USPN 6,052,736 – filing date 3/31/1997).

Regarding dependent claim 5, Kirsch and Horstmann disclose the method of claim 4. However, they fail to disclose directing the request to a default web address based on a determination that a search could be completed and no forwarding URL that corresponds to the domain name is found. Ogle et al. (Ogle) teach that in a network a "datagram may be sent to a default address" to deal with the case "if no direct or indirect route is specified" (col. 2, lines 26-27). Hence, it would have been obvious to one of ordinary skill in the art to combine Kirsch and Horstmann et al.'s work, as in claim 4, and further improve the result by the means of directing web requests to a default address based on a determination that a search could be completed and no forwarding URL that corresponds to the domain name is found in order to deal with the case where no set destination is provided.

Regarding dependent claim 16, it is a computer-readable medium having computer-executable instructions for performing the steps recited in claim 5, and is rejected under the same rationale.

6. Claims 6-8 and 17-19 and 24 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kirsch as applied to claim 1 above, and further in view of Muller et al. (USPN 6,128,279 – filing date 6/30/1997), and further in view of Fogg et al. (USPN 6,321,242 – filing date 2/6/1998).

Regarding dependent claim 6, Kirsch discloses the method of claim 1. Kirsch fails to disclose that the determining step would comprise searching a data file for the forwarding URL. In Muller et al. (Muller), they teach how to use a forwarding database

search engine may be used in network routing “for achieving a cost-effective high-performance switch implementation” (col. 1, lines 14-17). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a forwarding database (which would necessitate searching a data file for the forward URL) into the design of Kirsch’s invention in order to achieve a cost-effective high-performance routing implementation.

Regarding dependent claim 7, Kirsch and Muller disclose the method of claim 6. They fail to disclose wherein the data file is periodically updated by a data generator, the data generator performing the steps of extracting forwarding information from a customer database and storing the forwarding information in the data file. Fogg et al. (Fogg, col. 4, lines 45-49) teaches, “When the receiver webmaster changes the uniform resource locator (URL) of a documents (210) the receiver re-liner generates a re-link message” with the motivation “to easily update hypertext links in documents on feeder sites to point to new locations for a receiving site document when the document has been relocated” (lines 62-65, column 1). This would motivate one of ordinary skill in the art at the time of the invention to improve the results of combining the work of Kirsch and Muller et al. by adding a data generator that periodically updates a data file by extracting forwarding information from a database and storing the forwarding information in the data file.

Regarding dependent claim 8, Kirsch, Muller, and Fogg disclose the method of claim 7. It is further necessary to have the customer database include a table that associates a domain name with a forwarding URL. Muller et al. teaches how to employ

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a data table to associates an "IP source address" with an "Internet Protocol (IP) destination address" (col. 13, lines 15-16) to provide "information for making real-time packet forwarding and filtering decisions" (col. 11, lines 66-67). Hence, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a similar data table as in Muller that associates the domain name with the forwarding URL in order to provide information for forwarding and filtering decisions.

Regarding dependent claim 17, it is a computer-readable medium having computer-executable instructions for performing the steps recited in claim 4, and is rejected under the same rationale.

Regarding dependent claim 18, it is a computer-readable medium having computer-executable instructions for performing the steps recited in claim 7, and is rejected under the same rationale.

Regarding dependent claim 19, it is a computer-readable medium having computer-executable instructions for performing the steps recited in claim 8, and is rejected under the same rationale.

Regarding dependent claim 24, it is a system that is capable of executing the method of claim 7, and is rejected under similar rationale.

7. Claims 11 and 22 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kirsch as applied to claim 1 above, and further in view of Fogg et al. (USPN 6,321,242 – filing date 2/6/1998).

Regarding dependent claim 11, Kirsch discloses the method of claim 1. Kirsch's work lacks the feature of explicitly stating that the user provides the web request. In lines 60-65, Fogg et al. describe how it is common practice for a user to send a "request message to the receiving site" by "clicking on a hypertext link", in order to retrieve a document. Hence it would have been obvious to one of ordinary skill at the time of the invention to have the user supply the request in order to select a document.

Regarding dependent claim 22, it is a computer-readable medium having computer-executable instructions for performing the steps recited in claim 11, and is rejected under the same rationale.

(10) Response to Argument

The appellant argues that Kirsch fails to anticipate claims 1, 9-10, 20-21, and 23, because "Kirsch does not disclose 'determining a forwarding uniform resource locator (URL) that corresponds to the domain name' (page 5, paragraphs 2-4)." This argument appears to be based upon the appellant's belief that Kirsch fails to receive a request destined to a first web address including a domain name and a uniform resource identifier (URI) (page 5). The initial argument also appears to be based upon the appellant's belief that Kirsch fails to disclose determining a forward uniform resource locator (URL) that corresponds to the domain name, the uniform resource identifier (URI) not being used in determining the forwarding uniform resource locator (pages 5, paragraph 2- page 6, paragraph 2).

The examiner respectfully disagrees with the appellant's arguments. As the appellant discloses in the "Summary of Claimed Subject Matter," a web address "www.joe-domain.com/section3/user1.html" has a domain name, "joe-domain.com" with the URI being "/section3/user1.html" (page 2, Summary of Claims, paragraph 1). The URI is essentially a path to a resource located on the domain. Further, from the domain name, "joe-domain.com" a forwarding URL is determined (page 2, Summary of Claims, paragraph 1). In the example presented by the appellant, this determined URL is "www.geocites.com/members/joe" (page 2, Summary of Claims, paragraph 1). Finally, the URI is appended to the determined URL to generate a second redirected web address of "www.geocites.com/members/joe/section3/user1.html" (page 2, Summary of Claims, paragraph 1).

Kirsch discloses a URL as having the basic form:

http://<server_name>.(sub-domain_top_level-domain>/<path>

Here, the /<path> component is optional (column 1, lines 58-64). This is the same structure as the domain described by the appellant. Further, Kirsch discloses the HTTP protocol of redirection from one URL (as disclosed above, a URL can act as the appellant's domain), to a second URL (column 4, lines 11-20). In this instance, the first URL acts as a domain, such as "joe-domain.com", while the second URL acts as the appellant's URL, "geocites.com/members/joe." The redirect determines the URL that corresponds to the domain name without using the URI. Finally, Kirsch discloses repeating any path portion of a direct server specification be repeated as the path portion of the redirected server (column 9, lines 29-32). As disclosed above, a URI is a

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path to a resource. Therefore, appending the path portion from the domain to the URL would meet the appellant's requirement of generating the web address including a domain name and URI.

With respect to claim 23, the appellant further argues that Kirsch does not disclose searching a data file for a forwarding URL that corresponds to the domain name (page 7, partial paragraph). However, the examiner respectfully disagrees. Kirsch discloses a configuration file, associated with an HTTP server that contains redirect information for mapping a requested resource to a redirected resource (column 4, lines 11-20).

The appellant's arguments with respect to the remaining claims rely upon the appellant's belief that Kirsch does not disclose the limitations above. However, the examiner respectfully disagrees based on the reasons above.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



Kyle Stork

Patent Examiner

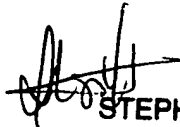
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